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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,510	12/04/2003	Did-Min Shih	TOP 345	7170

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EXAMINER	
NGUYEN, DUC MINH	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/726,510	SHIH ET AL.	
	Examiner	Art Unit	
	Duc Nguyen	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-13 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-5,7-10,12 and 13 is/are rejected.

7)☒ Claim(s) 6 and 11 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 10-11 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 10-11 and 13 recite the limitation "the supply current" in line 2, 1, and 2, respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterzell (US 2002/0123319) in view of Durkota et al (5,396,255).

Consider claim 1. Peterzell teaches a radio communication system for communication between a first mobile system (e.g., any mobile system that transmits a signal to the second mobile system) and a second mobile system (transceiver 800), comprising a received signal strength detecting device for detecting a received signal strength of the transceiver in the second mobile system (RSSI 927, fig(s). 8; page 8, § 0095-0096); a power controller for controlling a

transmitted power strength status and controlling transmitted power of the transceiver in the second mobile system according to the received signal strength (page(s) 9, ¶ 0099). Peterzell does not clearly teach an indicating device for receiving the transmitted power strength status and indicating a transmitted RF power strength status of the transceiver in the second mobile system.

Durkota teaches an indicating device for receiving the transmitted power strength status and indicating a transmitted RF power strength status of the transceiver in the second mobile system (watt-meter 112 of transceiver 107, fig(s) 2; column(s) 4, line(s) 33-52) for the purposes of providing a graphical display of antenna signal strength versus antenna altitude for determining the optimum altitude for antenna pattern measurements, and calculation of antenna isotropic is provided for verification of antenna performance (column(s) 3, line(s) 3-9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Durkota into the teachings of Peterzell for the purposes mentioned above.

5. Claims 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterzell (US 2002/0123319) in view of Durkota et al (5,396,255) and Chien (US 2005/0042995).

Consider claim 1. Peterzell teaches a radio communication system for communication between a first mobile system (e.g., any mobile system that transmits a signal to the second mobile system) and a second mobile system (transceiver 800), comprising a received signal strength detecting device for detecting a received signal strength of the transceiver in the second mobile system (RSSI 927, fig(s). 8; page 8, § 0095-0096); a power controller for controlling a

transmitted power strength status and controlling transmitted power of the transceiver in the second mobile system according to the received signal strength (page(s) 9, ¶ 0099). Peterzell does not clearly teach an indicating device for receiving the transmitted power strength status and indicating a transmitted RF power strength status of the transceiver in the second mobile system.

Durkota teaches an indicating device for receiving the transmitted power strength status and indicating a transmitted RF power strength status of the transceiver in the second mobile system (watt-meter 112 of transceiver 107, fig(s) 2; column(s) 4, line(s) 33-52) for the purposes of providing a graphical display of antenna signal strength versus antenna altitude for determining the optimum altitude for antenna pattern measurements, and calculation of antenna isotropic is provided for verification of antenna performance (column(s) 3, line(s) 3-9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Durkota into the teachings of Peterzell for the purposes mentioned above.

Peterzell in view of Durkota does not teach a power controller comprises a V-I converter to generate a supply current to power the transmitter of the second mobile corresponding to the received signal strength.

Chien teaches a power controller comprises a V-I converter to generate a supply current (see the entire abstract; page(s) 1, ¶ 0008, ¶ 0011, page(s) 3, ¶ 0033-0034, page(s) 4, ¶ 0039-0042) to power the transmitter of the second mobile corresponding to the received signal strength (page(s) 1, ¶ 0008), wherein the transmitted power of the transceiver in the second mobile

system is according to the supply current (pg 1, ¶ 0008) for the purpose of providing an accurate, flexible, and compact transmit signal strength indication module (page(s) 1, ¶ 0010).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Chien into the teachings of Peterzell in view of Durkota for the purpose mentioned above.

Consider claim 2. Chien, page(s) 3, ¶ 0029 reads on calibrating the transmitted power of the transceiver (e.g., the measured signal strength is used to adjust the transmit power level).

Consider claim 3. Chien further teaches a power controller comprises a V-I converter to generate a supply current (see the entire abstract; page(s) 1, ¶ 0008, ¶ 0011, page(s) 3, ¶ 0033-0034, page(s) 4, ¶ 0039-0042), to power the transmitter of the second mobile corresponding to the received signal strength (page(s) 1, ¶ 0008), wherein the transmitted power of the transceiver in the second mobile system is according to the supply current (pg 1, ¶ 0008).

Consider claim 4. Chien, fig(s) 4, charge pump 106 reads on the calibration circuit.

Consider claim 5. Chien, fig(s) 4 shows that the V-I converter comprises MOS transistors (T and the MOS transistors in the charge pump) that are controlled by the signal strength (page(s) 3, ¶ 0029, and ¶ 0033-0039).

Consider claim 7. Chien, page(s) 3, ¶ 0029, and ¶ 0033-0039 read on the limitations of this claim.

Consider claim 8. Chien, page(s) 3, ¶ 0034 reads on the limitation of this claims (e.g., the analog-to-digital converter converts the resulting signal strength indication into a digital signal for processing by the digital section of the radio 60).

Consider claim 10. Chien, page(s) 1, ¶ 0008 and Fig(s) 4, the charge pump 106 read on the calibration circuit.

Consider claim 12. Chien further teaches a power controller comprises a V-I converter to generate a supply current (see the entire abstract; page(s) 1, ¶ 0008, ¶ 0011, page(s) 3, ¶ 0033-0034, page(s) 4, ¶ 0039-0042).

Consider claim 13. Chien, page(s) 9, § 0099 reads on the limitations of this claim (e.g., transmit power level is based on a combination of RSSI measurements and continuous base station power control).

Allowable Subject Matter

6. Claims 6, 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments filed 7/12/05 have been fully considered but they are not persuasive.

Regarding the Durkota reference, applicant states that, "it is clear that the power in the transceiver antenna 102 is not indicates in the transceiver 107."	In contrast to applicant's assertions, antenna 102 is called "a transmit antenna". The antenna 102 is connected to transceiver 107 through watt-meter 112. Watt-meter 112 measures and indicates the TSSI of the transceiver 107 (column(s) 4, line(s) 33

	through column(s) 5, line(s) 23). Assuming that the wireless system on board of the helicopter is called the second mobile system and the tester 103 is called the first mobile system. Watt-meter 112, in fact, indicates the TSSI of the transceiver 107, which is part of the so called second mobile system.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is 571-272-7503. The examiner can normally be reached on 7:00AM to 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kuntz Curtis can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Duc Nguyen
Primary Examiner
Art Unit 2643

9/8/05